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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,573	04/30/2001	Michael Edison	40101/01201	2227

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EXAMINER

SIDDIQI, MOHAMMAD A

ART UNIT PAPER NUMBER

2154

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/845,573	EDISON, MICHAEL	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mohammad A Siddiqi	2154	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-20 are presented for examination.

#### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Taivalasaari et al. (6,366,898) (hereinafter Taivalasaari).

3. As per claim 1, Taivalasaari discloses method of communicating, comprising the steps of:

forwarding to a first device a first request from a second device, the first request including an application broker software package (col 5, lines 58-67, col 6, lines 1-2);

initiating at the first device a first instance of an application broker from the application broker software package, wherein the first instance includes an object to process the first request package (col 5, lines 58-67, col 6, lines 1-2, col 4, lines 19-67);

establishing a first connection between the first and second devices in response to the first request (col 5, lines 58-67, col 6, lines 1-2);

receiving at the first device a second request from a third device (col 5, lines 58-67, col 6, lines 1-30);

initiating from the application software package a second instance of the application broker at the first device (col 6, lines 40-64), wherein the second instance includes an object to process the second request (col 5, lines 58-67, col 6, lines 1-64); and

establishing a second connection between the first and third devices in response to the second request (fig 14, col 5, lines 58-67, col 6, lines 1-64).

4. As per claims 2 and 11, Taivalsaari discloses wherein the first instance of the application broker includes an applet broker (col 3, lines 32-39).

5. As per claim 3, Taivalsaari discloses wherein the second device is an embedded device and wherein the application broker facilitates one of monitoring and manipulation of the second device from the first device.

6. As per claim 4, Taivalsaari discloses wherein the first instance (col 4, lines 19-49) of the application broker reads information data included in data

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forwarded from the second device to the first device to determine that the data was forwarded (col 3, lines 48-60) from the second device (col 5, lines 58-67, col 6, lines 1-64).

7. As per claim 5, Taivalasaari discloses wherein the application broker export module opens a first communication thread between the first and second devices and a second communication thread between the second and third devices (col 5, lines 14-67).

8. As per claim 6, Taivalasaari discloses wherein the first communication thread utilizes a communication path different from that used to export the application broker export module from the second device to the first device (path and network link, col 5, lines 58-67, col 6, lines 1-29).

9. As per claims 7 and 10, Taivalasaari discloses wherein the first instance and the second instance exist simultaneously at the first device (Synching application, col 5, lines 58-67, col 6, lines 1-29).

10. As per claim 8, Taivalasaari discloses a software package comprising an application broker export module (class manager, loads classes, see Abstract) exportable from a first device to a second device (abstract, the

application broker export module including an instance opening sub-module for opening a first instance of an application broker for managing operation of applications exported from the first device to the second device and for opening a second instance of the application broker for managing operation of applications between the second device and a third device (Abstract, col 2, lines 14-30, (fig 14, col 5, lines 58-67, col 6, lines 1-64).

11. As per claim 9, Taivalasaari discloses wherein the first instance of the application broker includes a first plurality of objects for generating messages for transmission to the first device and the second instance of the application broker includes a second plurality of objects for generating messages for transmission to the third device (col 4, lines 19-67, col 5, lines 1-67).

12. As per claim 12, Taivalasaari discloses wherein the first device is an embedded device and wherein the application broker facilitates one of monitoring and manipulation of the first device from the second device (col 5, lines 14-56).

13. As per claim 13, Taivalasaari discloses wherein the first instance of the application broker reads information data included in data forwarded from

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the first device to the second device to determine that the data was forwarded from the first device (col 5, lines 58-67, col 6, lines 1-30).

14. As per claim 14, Taivalaari discloses wherein the application broker export module includes a thread opening sub-module for opening a first communication thread between the first and second devices and a second communication thread between the second device and the third device (col 5, lines 14-67).

15. As per claim 15, Taivalaari discloses wherein the first communication thread utilizes a communication path different from that used to export the application broker export module from the first device to the second device (col 5, lines 14-67, col 6, lines 1-29).

16. As per claim 16, Taivalaari discloses wherein the applet broker operates in conjunction with web browser software running on the second device to interact with a web page (col 3, lines 29-60) hosted by the first device (col 5, lines 14-67, col 6, lines 1-29).

17. As per claim 17, Taivalaari discloses wherein the first plurality of objects includes a packet builder object to build one of requests and

responses to be transmitted from the first instance of the application broker to the first device (remotes database loader, classfile source, col 6, lines 40-52).

18. As per claim 18, Taivalasaari discloses wherein the first plurality of objects includes a packet parser object to parse one of requests and responses received from the first device (col 3, lines 55-60, col 6, lines 40-52).

19. As per claim 19, Taivalasaari discloses wherein the first plurality of objects includes a communications object to establish a connection between the second device and the first device and to transmit one of requests and responses between the first and second devices (conduit, col 4, lines 19-49, col 5, lines 58-67, col 6, lines 1-29).

20. As per claim 20, Taivalasaari discloses wherein the communications object routes one of requests and responses to a corresponding one of the first plurality of objects within the application broker (conduit, col 4, lines 19-49, col 5, lines 58-67, col 6, lines 1-29).



***Conclusion***

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S Publication 2002/0062338

U.S. Patent 6,131,166

U.S. Patent 6,430,564


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A Siddiqi whose telephone number is (703) 305-0353. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS

  
**ZARNI MAUNG**  
**PRIMARY EXAMINER**